

AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

District of New Mexico

United States District Court  
Albuquerque, New MexicoMitchell R. Elfers  
Clerk of Court

United States of America

v.

SHAMON PACHECO,  
aka: "STUNNER"

Case No. MJ 22-611 LF

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 13, 2022 in the county of Bernalillo in the  
District of New Mexico, the defendant(s) violated:

## Code Section

## Offense Description

21 U.S.C. §§ 841(a)(1) &amp; (b)(1)(C):

21 U.S.C. §§ 841(a)(1) &amp; (b)(1)(C):

21 U.S.C. § 856:

18 U.S.C. §§ 922(g)(1) &amp; 924:

18 U.S.C. § 924(c)(1)(A)(i):

possession with intent to distribute fentanyl;

possession with intent to distribute a mixture and substance containing a  
detectable amount of methamphetamine;

maintaining drug involved premises;

being a convicted felon in possession of a firearm and ammunition

possession of a firearm in furtherance of a drug trafficking crime.

This criminal complaint is based on these facts:

Refer to the attached Affidavit in Support of Criminal Complaint and Arrest Warrant

☒ Continued on the attached sheet.

Complainant's signature

Bryan M. Acee, FBI Special Agent

Printed name and title

Sworn to before me by telephone or other reliable electronic means.

Date: April 15, 2022City and state: Albuquerque, New Mexico

Judge's signature

Laura Fashing, United States Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Bryan M. Acee, being duly sworn, depose and say:

**INTRODUCTION AND PURPOSE OF THE AFFIDAVIT**

1. I am employed as a Special Agent with the Federal Bureau of Investigation (FBI). I have been a law enforcement officer for 22 years, serving as a police officer, detective, and special agent. I have been with the FBI since 2009 and am currently assigned to the FBI Gang Task Force. For the past 22 years, I have primarily investigated gangs, drug trafficking, and violent crimes.

2. This affidavit is being submitted in support of a criminal complaint and arrest warrant charging **SHAMON PACHECO**, aka: “**STUNNER**,” with the following violations:

- a. 21 U.S.C. §§ 841(a)(1) and (b)(1)(C): possession with intent to distribute fentanyl;
- b. 21 U.S.C. §§ 841(a)(1) and (b)(1)(C): possession with intent to distribute a mixture and substance containing a detectable amount of methamphetamine;
- c. 21 U.S.C. § 856: maintaining drug involved premises;
- d. 18 U.S.C. §§ 922(g)(1) and 924: being a convicted felon in possession of a firearm and ammunition; and
- e. 18 U.S.C. § 924(c)(1)(A)(i): possession of a firearm in furtherance of a drug trafficking crime.

**RELEVANT CRIMINAL HISTORY OF THE DEFENDANT**

3. **PACHECO** has 15 prior arrests in New Mexico with three felony convictions, to include: possession with intent to distribute marijuana in 2010, Bernalillo County Case No. D-202-CR-20096083; trafficking a controlled substance in 2010, Bernalillo County Case No. D-202-CR-20100136; and aggravated fleeing a law enforcement officer in 2018, Bernalillo County Case No. D-202-CR-20180975.

**STATEMENT OF PROBABLE CAUSE:**

4. On April 13, 2022, at 5:50 am, the Federal Bureau of Investigation (FBI), Albuquerque Division, Special Weapons and Tactics (SWAT) team executed simultaneous search warrants on two separate units located at 240 Wheeler Avenue SE, Albuquerque, New Mexico. The search warrants were for the residence of Albuquerque West Side Locos (WSL) gang member Shamon PACHECHO Jr., aka: "Stunner," who lived on the ground floor in unit A, and Arizona G-Town prison gang member Orlando PACHECO, aka: "Junior," who lived on the second floor in unit B.

5. The search warrants authorized the search of the premises for evidence of conspiracies to distribute methamphetamine and fentanyl; unlawful firearms possession; firearms trafficking; and gang racketeering. The search warrants also permitted agents to photograph the defendant's bodies for gang tattoos.

6. After knocking, announcing, and waiting a reasonable amount of time, SWAT agents breached the front door and PACHECO's bedroom window. SWAT agents advised the occupants of the residence to exit the house. Moments later a female adult and four young children exited the house.

7. SWAT agents located PACHECO laying on the floor in the hallway of his residence. Numerous blue M30 fentanyl pills were located on the ground around PACHECO. Two loaded pistols were located on a nearby couch. Additional fentanyl pills and a large amount of U.S. currency were on the floor in bathroom, which was located at the end of the hallway. PACHECO was compliant with agents and taken into custody. Agents subsequently observed blue M30 fentanyl pills falling from the bottom of PACHECO's pants and conducted a strip search of his person. At that time, agents observed a plastic bag protruding from PACHECO's rectum and had him remove the bag. The bag contained approximately 300 blue M30 fentanyl pills.

8. During a search of PACHECO' residence, agents located and seized the following property:

- a. 8,700 blue M30 fentanyl pills (approximate count);
- b. Two plastic bags containing methamphetamine (approx. ¼ pound);
- c. Six loaded firearms, to include an AK-47 pistol with a 50 round drum magazine;
- d. One 40mm gas grenade launcher (stolen from APD in 2019);
- e. Hundreds of rounds of ammunition and numerous magazines;
- f. Two ballistic vests with enhanced ballistic plates;
- g. One cellular telephone; and
- h. One 2007 black Mercedes 550 sedan.

9. FBI Gang Task Force officers photographed PACHECO' tattoos. The methamphetamine and blue M30 fentanyl pills tested positive via field testing.

10. Special Agent Jordan Spaeth interviewed PACHECO after he was advised of his *Miranda* Rights. PACHECO admitted to being a felon, a WSL gang member, distributing fentanyl, owning the firearms located inside his home, and having the firearms for protection.

#### **INTERSTATE NEXUS**

11. The seven firearms seized from PACHECO' apartment are listed below:

- a. Smith & Wesson model M&P 40 Shield .40 cal. pistol, serial number HAS7496;
- b. Ruger model LCP .380 cal. pistol, serial number 379004034;
- c. Ruger model 57 5.7x28 cal. pistol, serial number 64218959;
- d. Glock model 23C .40 cal. pistol, serial number BKK669;
- e. Century Arms model RAS47 7.62x39 cal. pistol, serial number RAS47111652;
- f. Ruger model LCP .380 cal. pistol, serial number 372454379;

g. Suppressor, no serial number

h. 40mm gas grenade launcher, serial number D37310

12. I am aware Smith & Wesson, Ruger, Glock, and Century Arms firearms are manufactured outside the State of New Mexico; therefore, they moved in or affected interstate commerce. All of the firearms, with the exception of the suppressor, were test fired and functioned as designed. The aforementioned firearms meet the federal definition of a firearm.

### CONCLUSION

13. Based on the information contained herein, I believe that there is probable cause to charge PACHECO with violations of 21 U.S.C. §§ 841(a)(1 and (b)(1)(C): possession with intent to distribute fentanyl; 21 U.S.C. §§ 841(a)(1) and (b)(1)(C): possession with intent to distribute methamphetamine; 21 U.S.C. § 856: maintaining drug involved premises; 18 U.S.C. §§ 922(g)(1) and 924: being a convicted felon in possession of a firearm and ammunition; and 18 U.S.C. § 924(c)(1)(A)(i): possession of a firearm in furtherance of a drug trafficking crime. Supervisory Assistant United States Attorney Jack Burkhead approved criminal charging in this matter.

Respectfully submitted,

  
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Bryan Acce  
FBI Special Agent

Electronically submitted and telephonically sworn to me on April 15, 2022.

  
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The Honorable Laura Fashing  
United States Magistrate Judge